

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jennifer L. Rodriguez

Docket No. 5:10-M-1043-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jennifer L. Rodriguez, who, upon an earlier plea of guilty to Driving While Impaired (Level 4), in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on May 12, 2010, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until her privilege to do so is restored in accordance with law.
4. The defendant shall participate in the National Guard outing that is to be held May 14 - 16, 2010, as a chaperone.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Due to financial and transportation issues, the defendant was delayed in beginning her 40-hour treatment program as recommended by her substance abuse assessment. Based upon the treatment facility's requirement that prohibits completion of the program in less than a two-month time period, the defendant will be unable to complete the program prior to May 29, 2011. Additionally, she still owes \$200 toward her court-imposed fine. In order to allow the defendant additional time to satisfy her treatment condition and pay her court-ordered fine, it is respectfully recommended that her supervision be extended for a period of two months from May 11, 2011, to July 11, 2011.

" The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended two (2) months from the expiration date of May 11, 2011, until July 11, 2011.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Debbie W. Starling
Debbie W. Starling
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: April 19, 2011

ORDER OF COURT

Considered and ordered this 25 day of April, 2011, and ordered filed and made a part of the records in the above case.


James E. Gates
U.S. Magistrate Judge